

Message

From: Fullagar, Jill [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7BA061353C314B40A14A8BE1EE382AE3-GABLE, JILL]
Sent: 9/4/2018 5:57:11 PM
To: Fidis, Alexander [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e76bf6d0e88745d69528ddbf60346461-Fidis, Alexander]
Subject: RE: Oregon OA NOI

Thx.

Jill Fullagar, Impaired Waters Coordinator
Watershed Unit, Office of Water and Watersheds
US EPA, Region 10
1200 Sixth Avenue, Suite 155 (OWW-192)
Seattle, WA 98101-3140
(206) 553-2582, (206) 553-1280 (fax)
fullagar.jill@epa.gov

From: Fidis, Alexander
Sent: Tuesday, September 04, 2018 10:55 AM
To: Fullagar, Jill <Fullagar.Jill@epa.gov>
Subject: RE: Oregon OA NOI

Yes.

From: Fullagar, Jill
Sent: Tuesday, September 04, 2018 10:16 AM
To: Fidis, Alexander <Fidis.Alexander@epa.gov>
Subject: RE: Oregon OA NOI

Hey Alex,

Is this public record? Can the state take a look at it? Thx.

jill

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From: Fidis, Alexander
Sent: Thursday, August 30, 2018 9:07 AM
To: Croxton, David <Croxton.David@epa.gov>; Cora, Lori <Cora.Lori@epa.gov>; Fullagar, Jill <Fullagar.Jill@epa.gov>
Cc: Stern, Allyn <Stern.Allyn@epa.gov>; Steiner-Riley, Cara <Steiner-Riley.Cara@epa.gov>; Schroer, Lee

<schroer.lee@epa.gov>; Glazer, Thomas <glazer.thomas@epa.gov>

Subject: Oregon OA NOI

Lori, Dave and Jill-

Allyn was able to track down the Center for Biological Diversity Oregon ocean acidification NOI on Inside EPA. Below is the excerpt of the notice dealing with the two legal claims. As we anticipated, one is CWA mandatory duty and the other is APA unreasonable delay.

EPA's failure to perform its non-discretionary duty under section 303(d)(2) to identify waters not meeting water quality standards within thirty days of its disapproval of Oregon's 2012 303(d) list constitutes a violation of the CWA. To date, EPA has not taken final action on its proposal to add 332 impaired waters nor has it identified any waters impaired by ocean acidification for Oregon's 2012 303(d) list. More than a year and a half have elapsed since EPA partially disapproved Oregon's 2012 303(d) list, and EPA has failed to act within the 30-day time limit. EPA is in violation of section 303(d) of the CWA, 33 U.S.C. § 1313(d)(2), and the Administrative Procedure Act for unlawfully withholding and unreasonably delaying action. 5 U.S.C. § 706(1).